REMARKS

In response to the Office Action mailed November 2, 2005, Applicants respectfully request reconsideration.

The Office Action rejected claims 5, 6, 15, 16, and 22-23 under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action appears to reject the claims because the code listed in these claims does not present a "sufficiently high-level language" to make it universally understood to one of ordinary skill in the art without the use of the comments.

Applicants do not understand the rejection and respectfully disagree with the rejection set forth in the Office Action.

The code illustrated in claims 5, 6, 15, 16, 22, and 23 clearly defines the structure of a timed-wait transmission control block. One of skill in the art knows exactly what each of the lines of code stands for without having to refer to the comments. Each command/line of code would be clear to one of ordinary skill in the art. Applicants therefore do not understand the rejection set forth in the Office Action, since a computer programmer of ordinary skill in the art would clearly understand the code set forth in each of these claims. Applicants do not believe that any further definition of the claimed subject matter is therefore necessary.

Therefore, Applicants believe that claims 5, 6, 15, 16, 22, and 23 would clearly be understood by one of ordinary skill in the art. Accordingly, Applicants respectfully withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

There being no art rejections with respect to claims 22 and 23, in view of the fact that one of ordinary skill in the art would clearly understand claims 22 and 23, Applicants believe that claims 22 and 23 should be in allowable condition.

Claims 1-4, 7-14, and 17-21 were rejected under 35 U.S.C. §102(e) as being anticipated by Coile, U.S. Patent No. 5,598,081. Applicants respectfully traverse this rejection.

Coile relates to a method for eliminating use of a transfer protocol on a proxy connection. More specifically, Coile relates to a cut-through proxy that makes two separate connections and then modifies packets from one connection so that they may be transferred to another connection without the need to keep a TCP Transmission Control Block (TCB) for each connection. According to Coile, the cut-through proxy can perform stateful inspection of the packets as they

are transferred from one connection to the other. Thus in Coile, the connections are not closed, but remain open and operating. For example, at column 8, Coile describes, with respect to Figure 2, a block diagram illustrating a cut-through proxy 200 that provides a fully proxy path that includes two terminated TCP connections. Proxy 200 also includes a cut-through path with enables data to be routed from a client 202 to a server 204 without the packets being fully checked by one of the TCP/IP network protocol stacks and routed to the other TCP/IP network protocol stack for relay to the other side. The path that includes the two fully terminated connections is referred as the participating path because it fully participates in the TCP protocol. The path which does not include two fully terminated connections, the cut-through path, is referred to as the non-participating path because it does not fully participate in the TCP protocol. Packets which are routed along the participating path are fully proxied and packets which are routed along the non-participating path are inspected and checked in a way that preserves the verification information contained in the packets but does not verify the packet data. Therefore, Coile maintains two fully operating paths between the client and server.

By contrast, claim 1 recites a method of increasing throughput of a server capable of servicing at least one TCP/IP connection with a client, the server creating a TCP/IP Transmission Control Block (TCB) stored in non-paged pool (NPP) memory containing information required to identify and to service the client connection, comprising closing a TCP/IP connection, excluding information from the TCB not required to identify the client connection to form a timed-wait state TCB (TWTCB) for a timed-wait period, and releasing the NPP memory containing the information required to service the client connection. Clearly, Coile does not teach or suggest at least closing a TCP/IP connection since Coile maintains the two paths between the client and the server operating. Furthermore, Coile does not exclude information from the TCB not required to identify the client connection to form a timed-wait state TCB for a time-wait period. Coile does not teach or suggest forming a timed-wait state TCB at all. Accordingly, claim 1 distinguishes over Coile and is in allowable condition. Claims 2-10 depend from claim 1 and are allowable for the same reasons.

Claim 11 recites a method for increasing the throughput of a server capable of servicing at least one TCP/IP connection, the server establishing a TCP/IP Transmission Control Block

(TCB) of a size and containing information sufficient to identify and service the connection, comprising closing the at least one TCP/IP connection, forming a Timed-Wait TCB (TWTCB) of a size less than the TCB, and releasing the TCB for use by the server.

As discussed above in connection with claim 1, Coile does not teach or suggest at least the limitations of closing the at least TCP/IP connection and forming a timed-wait TCB (TWTCB) of a size less than the TCB, as recited in claim 11. Accordingly, claim 11 distinguishes over Coile and is in allowable condition. Claims 12-17 depend from claim 11 and are allowable for at least the same reasons.

Claim 18 recites a computer readable medium having computer-executable instructions for performing steps, comprising closing a TCP/IP connection, copying less than all information stored in a TCP/IP Transmission Control Block (TCB) into a Timed-Wait TCB (TWTCB), and maintaining the TWTCB for a timed wait period to avoid late routed packets from establishing a new connection with a server.

As discussed above in connection with claim 1, Coile does not teach or suggest the limitations of closing a TCP/IP connection and copying less than all information stored in a TCP/IP Transmission Control Block (TCB) into a timed-wait TCB (TWTCB) as recited in claim 18. Therefore, claim 18 distinguishes over Coile and is in allowable condition.

Claims 19-21 depend from claim 18 and are allowable for at least the same reasons.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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